

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

In re: DATA BREACH SECURITY  
LITIGATION AGAINST CAESARS  
ENTERTAINMENT, INC.

Master File No. 2:23-cv-01447-ART-  
BNW

(Consolidated for pre-trial  
proceedings with Case Nos. 2:23-cv-  
01482, 2:23-cv-01483, 3:23-cv-  
00470, and 2:23-cv-01562)

CONSOLIDATED CLASS ACTION

ORDER CONSOLIDATING CASES

Having reviewed the Unopposed Motion to Consolidate Cases for Pre-Trial Proceedings and the complaints in all actions, and having found that the cases (1) involve some of the same issues of fact and law, (2) grow out of the same alleged data breach involving Defendant Caesars Entertainment, Inc., (3) have many of the same claims, and (4) have proposed class definitions that will encompass the same persons, this Court finds that the cases have sufficient commonality of issues and parties to warrant consolidation under Federal Rule of Civil Procedure 42(a). This Court further finds that the benefits of consolidation are not outweighed by any risk of prejudice or jury confusion. The effect of such consolidation will be improving judicial economy and preserving the Parties' resources, as well as avoiding disparate rulings in separate actions.

Accordingly, because this Court finds that the below proposed class actions (the "Related Actions") have sufficient commonality of law and fact, and granting Plaintiff's motion does not increase the risk of an unfair outcome, Plaintiffs' Unopposed Motion to Consolidate Cases for Pre-Trial Proceedings (ECF Nos. 8,11) is granted. The Court further orders the following:

1. The following Related Actions are hereby consolidated for all pre-trial proceedings (the "Consolidated Action"):

<b>Abbreviated Case Name</b>	<b>Case No.</b>	<b>Date Filed</b>
<i>Rodriguez v. Caesars Entertainment, Inc.</i>	2:23-cv-01447	09-15-23
<i>Garcia v. Caesars Entertainment, Inc.</i>	2:23-cv-01482	09-21-23
<i>Giuffre v. Caesars Entertainment, Inc.</i>	2:23-cv-01483	09-21-23
<i>McNicholas, et al. v. Caesars Entertainment, Inc.</i>	3:23-cv-00470	09-22-23
<i>Lackey v. Caesars Entertainment, Inc.</i>	2:23-cv-01562	09-29-23

2. Every pleading filed in the Consolidated Action shall bear the following caption:

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3. The files of the Consolidated Action shall be maintained in one file under Master File No. 2:23-cv-01147;

4. Should a case that arises out of the same subject matter of the Consolidated Action subsequently be filed in this Court or transferred from another Court, a motion may be made to consolidate with these Related Cases. Nothing in the foregoing shall be construed as a waiver of Defendant's right to object to consolidation of any subsequently filed or transferred related action;

5. Defendant does not waive its right to move to dismiss the Consolidated Action or any individual action, to oppose class certification under Fed. R. Civ. P. 23 or the appointment of class counsel on any grounds, to oppose joinder of plaintiffs to one another including for purposes of trial, or to move for summary judgment;

6. Under Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure, service by

1 e-mail transmission shall be permitted in addition to service via ECF  
2 notification;

3 7. All deadlines in the Related Actions are stayed;

4 8. Leadership applications, pursuant to Rule 23(g)(3), shall be filed within  
5 20 days of the date of this Order;

6 9. Plaintiffs shall file a superseding consolidated amended complaint no  
7 later than 45 days following the appointment of interim class counsel;

8 10. Defendant shall have 45 days from the filing of the superseding  
9 consolidated amended complaint to file a motion to dismiss or otherwise  
10 respond to that Complaint, Plaintiffs shall have 45 days thereafter to file  
11 their opposition, and Defendants shall have 30 days thereafter to file a  
12 reply in support.

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14 It is so ordered.

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16 DATED THIS 26<sup>th</sup> day of October 2023.

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20 ANNE R. TRAUM  
21 UNITED STATES DISTRICT JUDGE  
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